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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,385	07/12/2001	Pierre-Guillaume Raverdy	50P4434/1587	1619

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EXAMINER

MARKS, CHRISTINA M

ART UNIT

PAPER NUMBER

3713

DATE MAILED: 03/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/904,385

Applicant(s)

RAVERDY ET AL.

Examiner

C. Marks

Art Unit

3713

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 February 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☒ Newly proposed or amended claim(s) 8 and 28 would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.


Claim(s) rejected: 1-42.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☒ The proposed drawing correction filed on 19 February 2003 is a) ☒ approved or b) ☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.

10. ☒ Other: Draftsment approved newly filed formal drawings

  
MICHAEL O'NEILL  
PRIMARY EXAMINER

Continuation of 2. NOTE: The amendment would require further consideration because it is not in the exact format of original claims 13, 14 and 20, the language of the claim is different and henceforth would require further consideration. The applicant asserts in the arguments that: 1) the Examiner nowhere relates any teachings of the cited reference to specific claims numbers in claims 1-3, 5-6, 11-23, 25-26, 29, and 31-42 2) the device of '549 according to the teachings of Chandra would not produce the invention 3) none of the originally filed claims 4, 7-10, 24, or 27-30 have been addressed 4) Chandra doesn't teach user/client devices that communicate directly 5) cited references do not teach an electronic certificate 6) references do not teach wager for gambling activities 7) non-criticality and well-known as aspects of the rejection 8) Ginter does not teach all of the aspects of the electronic certificate. In response to these points, the Examiner asserts 1 and 3) the claims were all addressed in the first office action with respect to their limitations 2) the device of '549 was addressed for all limitations and involved electronic trading and the Chandra reference taught of negotiation in electronic trading and thus would produce the claimed invention 4) in respect to claim 20 reciting this limitation, Chandra allows for indirect communication which is one of the options in claim 20 which states "using one of an indirect transfer path and a direct transfer path" 5) the issue of the electronic certificate was addressed in the previous office action (please see page 11, lines 11- page 12, line 4 of the previous action) 6) wagers for gambling activities are clearly taught in that a player must pay an entry fee to enter the tournament and the tournament can be based on games of luck or chance in which the player has no control over the progression. Such examples are slot machines and poker tournaments (Column 12) 7) the issue of non-criticality and well-known as aspects of the rejection was addressed in the previous action (please see page 12, line 20 through page 14, line 6 of the previous action) 8) see Item 4 below .